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| To: | Commissioner for Patents | From: | Michael C. Antone |
| Organization: | U.S. Patent and Trademark Office | Date: | April 8, 2004 |
| Fax: | 703-872-9306 | Fax | 443-259-4278 |
| Phone: | | Phone: | 443-259-4150 |
| Pages: | 7 (including cover page) | | |
| Re: | U.S. Application Serial Number 09/441,805 | | |

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PTO/SB/21 (08-03)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|--|---|------------------------|-------------------|
| | | Application Number | 09/441,805 |
| | | Filing Date | November 17, 1999 |
| | | First Named Inventor | David F. Smith |
| | | Art Unit | 2633 |
| | | Examiner Name | Agustin Bello |
| Total Number of Pages in This Submission | 6 | Attorney Docket Number | 981117DS |

ENCLOSURES (Check all that apply)

| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | Corvis Corporation Michael C. Antone |
| Signature | |
| Date | April 8, 2004 |

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|-----------------------|---------------|
| Typed or printed name | Melinda Salin |
| Signature | |
| Date | April 8, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APR - 8 2004

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/441,805

Confirmation No. 5064

Applicant: David F. Smith

Filed: November 17, 1999

TC/A.U.: 2633

Examiner: Agustin Bello

Date April 8, 2004

Docket No.: 981117DS

Customer No.: 21398

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In Response to the Office Action dated February 9, 2004, ("the Action"), please amend the above-identified application as follows:

Amendments to the Specification n/a

Amendments to the Claims n/a

Amendments to the Drawings n/a

Remarks/Arguments begin on page 2.

No Appendix is included in this paper.